

# The Growth of **INCARCERATION** in the United States

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## ISSUE BRIEF

### Women and the Rise of Incarceration

After decades of stability, U.S. federal and state prison populations escalated steadily between 1973 and 2009, growing from about 200,000 people to 1.5 million. The increase was driven more by changes in policy—measures that imprisoned people for a wider range of offenses and imposed longer sentences – than by changes in crime rates. Has this greater reliance on incarceration yielded significant benefits for the nation, or is a change in course needed?



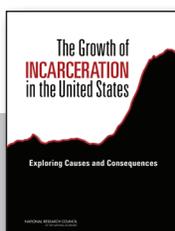
To answer that question, a committee of the National Research Council examined the best available evidence on the effects of high rates of incarceration. The committee found no clear evidence that greater reliance on imprisonment achieved its intended goal of substantially reducing crime. Moreover, the rise in incarceration may have had a wide range of unwanted consequences for society, communities, families, and individuals. The committee's report, *The Growth of Incarceration in the United States: Exploring Causes and Consequences*, urges policymakers to reduce the nation's reliance on incarceration and seek crime-control strategies that are more effective, with better public safety benefits and fewer unwanted consequences.

#### Women a Fast-Growing Segment of Prison Population

While currently only one of every 14 prisoners in the United States is female, rates of incarceration for women—white and Hispanic women in particular -- are growing more rapidly than those of other demographic groups. Beginning in the 1970s, women's rate of incarceration has risen twice as fast as that of men. Women are sentenced to prison for nonviolent crimes more often than men; about 55 percent of women sentenced to prison have committed property or drug crimes, compared with about 35 percent of male prisoners.

Female prisoners face a number of additional hardships and disadvantages compared to male prisoners:

- Women's prisons historically have had fewer resources than men's prisons in correctional systems, with the result that women prisoners have had less access to programming and treatment that could prepare them for re-entry into society.
- Women are more likely than men to enter prison with mental health problems or to develop them while incarcerated: About 75 percent of women in state prisons in 2004 had symptoms of a current mental health problem, as opposed to 55 percent of men.
- Women are more likely than men to be targets of sexual abuse by staff; of all reported staff sexual misconduct in prison, three-quarters involved staff victimizing women prisoners.
- A higher percentage of female than male prisoners are parents who must grapple with the burden of being away from their children; the majority of these women lived with their children before their arrest. Many mothers who have been incarcerated have histories of disadvantage that include poverty, low education, mental illness, substance use, and/or domestic abuse.



#### THE GROWTH OF INCARCERATION IN THE UNITED STATES Exploring Causes and Consequences

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The rise of incarceration has affected women beyond those who are themselves imprisoned; as incarceration rates climbed among both women and men in recent decades, more women and their children had partners and fathers imprisoned. Fathers' incarceration is associated with instability in male-female unions and with families' economic hardship; families with a father in prison are more likely to be homeless, have difficulty meeting basic needs, and make greater use of public assistance.

## **Policymakers Should Reduce Use of Incarceration, Support Family Connections**

Policymakers should take several steps to reduce the harmful consequences incarceration may have for both female and male prisoners, as well as for their families, communities, and society:

- Reducing rates of incarceration and seeking alternative ways to respond to crime would limit harmful family separations and the economic, social, and emotional consequences for an entire family that may occur when a parent is imprisoned. It is especially important to consider alternative sanctions or programs in cases of nonviolent crimes, for which over half of women been incarcerated.
- As part of this effort, courts could potentially use diversion strategies to connect individuals with histories of mental illness – of which female prisoners have disproportionately high rates -- and substance abuse to appropriate treatment rather than prison.
- Legislators and prison authorities should improve prison conditions for both women and men with the goal of increasing prisoners' chances of reentering society with family and social relationships intact and better prepared to make a positive, productive transition.

## **Principles to Guide Policy**

In a democratic society, policymakers need to consider not only empirical evidence but also principles and values as they determine policies for punishment. The following four principles have helped shape criminal justice in the United States and Europe for hundreds of years. Policymakers should consider these principles as they weigh sentencing and prison policies:

- **Proportionality:** Is the severity of sentences appropriate to the seriousness of the crime?
- **Parsimony:** Is the punishment the minimum necessary to achieve its intended purpose?
- **Citizenship:** Do the conditions and consequences of punishment allow the individual to retain his or her fundamental status as a member of society, rather than violating that status?
- **Social justice:** Do prison policies promote and not undermine the nation's aspirations to be fair in terms of the rights, resources, and opportunities people have?

These principles should complement the objectives of holding offenders accountable and combating crime. Together, they help define a balanced role for the use of incarceration in U.S. society.

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This issue brief is one in a series prepared by the Committee on Law and Justice based on the report *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. The study was sponsored by the U.S. Department of Justice and the MacArthur Foundation. Any findings, conclusions, or recommendations expressed in this publication are those of the study committee and do not necessarily reflect those of the sponsors.

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